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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

ANDREW STYLES, 87-A-4358,

Plaintiff,

-v-

DECISION AND ORDER
02-CV-6515L(Fe)

GLENN S. GOORD, et al.

Defendants.

By Order filed December 11, 2002, plaintiff, Andrew Styles, was granted permission to proceed *in forma pauperis* (Docket No. 7). In the May 9, 2005 Order dismissing the complaint, permission to proceed *in forma pauperis* was not withdrawn (Docket No. 36; and see Docket No. 39). No fee was required of plaintiff upon filing his Notice of Appeal (Docket No. 40). Accordingly, plaintiff's second motion for permission to proceed *in forma pauperis* (Docket No. 42) is denied as moot.

IT IS SO ORDERED.



DAVID G. LARIMER
United States District Judge

DATED: August 23, 2005
Rochester, New York